

**Subject: Chelmsford**

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adowlands

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Saturday, January 31, 2004

Dear Gareth Hicks,

RE: Meadowlands, Chelmsford

I have spoken with Marc Willers (barrister). He says we might have a case that the Council were not telling the full truth about vacant pitches when they directed the families to CESwanley2 (actually Bromley) and Epsom.

Apart from righting a wrong this might stop Chelmsford evicting by force the other large site in the district  
- Old Barn Lane, off the A130.

It would also discourage neighbouring Epping (3 sites) and Rochford (two sites) from similar action.

Clearly to write a full Report I would need to see exactly what the Council said but just to give you an idea.

There were about 25 caravans on the site. The Council offered pitches at Bromley and Epsom.

In the first place there were not sufficient pitches for all the families and secondly they were unsuitable

There were ten empty plots in Epsom. The site has been recently handed over by the district council to the county council and the ten plots have no facilities – the utility rooms (toilet, washing and cooking facilities) are not functioning. The County Gypsy Officer told me that only mobile homes with their own facilities (toilets etc) could come on – not touring caravans.

Also the entrance to the site was blocked by the neighbouring garage so they could not actually have got on it on the day of the eviction from Meadowlands. It would have been temporary as the site is probably closing.

They would of course have to have been taken there there on a low loader and Constant (the bailiffs) in the end did not carry out a verbal agreement to undertake this on the day of the eviction (26 January)

Bromley had between 4 and 6 pitches free. However, the reason they are empty is because the site is dominated by one family who discourages newcomers

It is also a bad site.

It is bang next to a dual carriageway which is raised on an embankment. You can't hear yourself speak outside due to the noise. It is constructed like a bear pit in a zoo with 8 foot high concrete walls around it, supporting an earth bund beyond. You cannot see out of it and the fumes from the road sink into it so you are in a constant fog of diesel. Some people have left rubbish on it, which is infested by rats.

The third site recommended by the Council was at South Mimms, Hertfordshire. When contacted the manager John Doherty said there were no available plots there. There is a waiting list for Hertfordshire sites.

So I believe there is a case for saying that the Council were not providing accurate information, and thus misleading the judge. We might throw in the fact that the existence of the temporary "homeless office" set up at Tufnell Hall, Gt Waltham was unknown to the families unsatisfactory and that they could not, in any case, reach it because of police roadblocks.

Possibly we could also ask for a declaration that the Council was not acting in accordance with the Human Rights Act, the Race Relations (Amendment) Act and the Housing (Homeless Persons) Act when they said the Meadowlands families could go to vacant pitches in Bromley, Epsom and South Mimms.

I don't think any of the accommodation was available (Omar v Brent etc) even as temporary accommodation I think that even temporary accommodation has to be suitable,.

Apart from this particular case I think we need to establish some principles before the new Antisocial Behaviour Act begins to bite where the offer of suitable accommodation is relevant.

When I get a copy of the Council's Statement I will write a fuller Report.

Yours sincerely

Donald Kenrick